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**IN THE UNITED STATES DISTRICT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ENCYCLOPAEDIA IRANICA FOUNDATION, INC.,

*Plaintiff,*

v.

THE TRUSTEES OF COLUMBIA UNIVERSITY IN  
THE CITY OF NEW YORK, ELTON DANIEL, BRILL  
USA, INC. AND KONINKLIJKE BRILL N.V.,

*Defendants.*

No. 19-cv-8562 (AT) (KNF)

**STIPULATION**

WHEREAS, Plaintiff Encyclopaedia Iranica Foundation, Inc. (“EIF”) filed a complaint in this action against Defendant Brill USA, Inc. (“Brill USA”) and others on September 13, 2019;

WHEREAS, EIF filed an amended complaint in this action against Defendant Koninklijke Brill N.V. (“Koninklijke Brill”), Brill USA, and others on December 15, 2021;

WHEREAS, Brill USA asked EIF to voluntarily dismiss it from this action;

WHEREAS, EIF has agreed to dismiss Brill USA from this action, without prejudice, under the conditions set forth below.

**NOW, IT IS HEREBY STIPULATED AND AGREED** by and among the undersigned attorneys for EIF, Koninklijke Brill, and Brill USA:

1. Koninklijke Brill hereby waives service of a summons in this action along with a copy of the Amended Complaint.

2. Koninklijke Brill hereby waives any objections to service of process, personal jurisdiction, venue, and forum non conveniens under the Federal Rules of Civil Procedure or

otherwise, and agrees not to raise any of these issues as defenses or otherwise in this action.

3. Koninklijke Brill further agrees that service by email on its counsel of record constitutes proper service of pleadings, written discovery requests, deposition notices and subpoenas of employees of Koninklijke Brill. Koninklijke Brill further agrees that it will not file any objections to pleadings, discovery requests or other papers, including, but not limited to, requests for production, depositions, and subpoenas for trial testimony, on either the ground that it is not based in the United States or that Brill USA is no longer a party to this action.

4. Koninklijke Brill further agrees not to argue that EIF is not entitled to full relief on any of the claims in this action by virtue of the fact that Brill USA is no longer a party to this action. Koninklijke Brill and Brill USA further agree that, for purposes of these proceedings and EIF's claims, any actions of Brill USA are attributable to Koninklijke Brill.

5. EIF hereby voluntarily discontinues this action against Brill USA and voluntarily dismisses its claims in this action against Brill USA without prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

6. Koninklijke Brill's deadline for filing an answer or otherwise responding to the Amended complaint is February 18, 2022.

7. In the event of a breach of the provisions contained in paragraphs 2 through 4 of this Stipulation by either Koninklijke Brill or Brill USA, EIF is released from all of its obligations under this Stipulation and may, at its option, re-add Brill USA as a defendant in this action or file a new civil action against Brill USA. In the event of such a breach, Koninklijke Brill and Brill USA agree that any claims that arise out of or relate to the claims filed against Koninklijke Brill and Brill USA in this action relate back to the date on which the initial complaint was filed in this action, and that any defense based on the statute of limitations to any such claim is waived.

Dated: New York, New York  
January 25, 2022

LEVINE LEE LLP

/s/ Scott B. Klugman

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Attorneys for Koninklijke Brill N.V. and Brill  
USA, Inc.

SO ORDERED.

Dated: February 7, 2022  
New York, New York



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ANALISA TORRES  
United States District Judge